S.B.Cr.Misc. Bail Application No.5400/2007
(Chandra Pal Singh & Ors. Vs. State of Rajasthan)

Date of order : November 14, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Pradeep Shah, for the petitioners.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioners that a complaint has been filed against the complainant party by petitioner No.1 Chandra Pal Singh.

Learned Public Prosecutor opposes the bail application and contends that the petitioners were armed with deadly weapon i.e. iron rod and knife etc., they committed house trespass and caused injuries to injured Abhinav Sharma and Bharat.

On careful perusal of the injury reports of injured

Abhinav Sharma and Bharat, it appears that Abhinav Sharma suffered five injuries and Bharat has suffered three injuries. Apart from other injuries suffered by Abhinav Sharma, the injury No.1 is on occipital region and the injury No.1 suffered by Bharat is incised wound by sharp edged weapon.

Learned counsel for the petitioners submits that petitioner No.1 Chandra Pal Singh also suffered three injuries. Be that as it may, so far as instant case is concerned, the witnesses in their statements have categorically named all the petitioners, more particularly two injured eye-witnesses viz. Abhinav Sharma and Bharat have named the petitioners as assailants, who caused the injuries.

Keeping in view the nature and numbers of the injuries, I do not find it a fit case to grant anticipatory bail to the petitioners.

The bail application filed by the petitioners under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-